

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 8, 2005**

AGENDA ITEM NO.: 12

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Amendment to the City Code re Vehicle Decal Fees**

RECOMMENDATION: Amend Lynchburg City Code §36-130 to reflect the new minimum decal fee of \$34.50 for non passenger vehicles.

SUMMARY:

During the budget process for FY 2005, decal fee revenue for passenger vehicles with an empty weight of greater than 4,000 pounds and non passenger vehicles was calculated using \$34.50 as a minimum amount. City Code, §36-130(1), for passenger vehicles was amended to reflect the change. However, the rates in §36-130(6)(b) for non passenger vehicles were inadvertently left at \$29.50. Accordingly, it is recommended that §36-130(6)(b) be amended to reflect a minimum decal fee of \$34.50 for non passenger vehicles.

PRIOR ACTION(S): January 4, 2005 Finance Committee recommended approval.

FISCAL IMPACT: Additional revenues from the increase for non-passenger vehicles were anticipated as part of the overall decal fee increase in the FY 2005 Budget.

CONTACT(S): Mitch Nuckles, Commissioner of the Revenue, 847-1594

ATTACHMENT(S): Proposed Ordinance Amendment

REVIEWED BY: lkp

ORDINANCE:

AN ORDINANCE TO AMEND AND REENACT SECTION 36-130 AMOUNT OF LICENSE FEES OF THE CODE OF THE CITY OF LYNCHBURG, 1981. THE AMENDED SECTION RELATING TO ANNUAL LICENSE FEES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 36-130 of the Code of the City of Lynchburg be, and the same is hereby, amended and reenacted as follows:

Sec. 36-130. Amount of license fees.

Effective March 1, 2005 the annual license fee hereby imposed on motor vehicles shall be in addition to any other property tax on motor vehicles and shall be as follows:

(a) Passenger vehicles: The annual license fee to be paid for motor vehicles, trailers and semitrailers designed and used for the transportation of passengers shall be as follows:

(1) Twenty-nine dollars and fifty cents (\$29.50) for a private motor vehicle other than a motorcycle with a normal seating capacity of not more than ten (10) persons, and weighing less than four thousand (4,000) pounds, including the driver, or thirty four dollars and fifty cents (\$34.50) if the vehicle weighs more than four thousand (4,000) pounds, if such private motor vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire or is not operated under a lease without a chauffeur.

(2) Twenty nine dollars and fifty cents (\$29.50) for a school bus owned and operated by a private school or private bus owned and operated by a charitable organization in connection with its work.

(3) Twenty nine dollars and fifty cents (\$29.50) for a noncollapsible trailer or semitrailer designed for use as living quarters for human beings.

(4) Twenty nine dollars and fifty cents (\$29.50) for a taxicab and other vehicles kept for rent or for hire operated with a chauffeur for the transportation of passengers and weighing less than four thousand (4,000) pounds, or thirty four dollars and fifty cents (\$34.50) if the vehicle weighs more than four thousand (4,000) pounds. This subsection shall not apply to vehicles used as common carriers nor shall it apply to ambulances operating under a certificate of public convenience and necessity issued under Chapter 5 of this code.

(5) Twenty one dollars (\$21.00) for a motorcycle.

(6) Twenty nine dollars and fifty cents (\$29.50) for a bus used exclusively for transportation to and from sunday school or church for the purpose of divine worship.

The manufacturer's shipping weight or scale weight shall be used for computing all taxes required by this section to be based upon the weight of the vehicle.

(b) Vehicles other than passenger vehicles: The annual license fee to be paid for all motor vehicles, trailers and semitrailers not designed and used for the transportation of passengers shall be an amount to be determined by the gross weight of the vehicle or combination of vehicles of which it is a part, when loaded

to the maximum capacity for which it is registered and licensed, by the state pursuant to applicable provision of Title 46.2 of the Code of Virginia, 1950, as amended, according to the schedule herein set forth; provided, however, that the fee for the license fee for said motor vehicles, trailers and semitrailers shall not exceed two hundred eighty seven dollars and thirty cents (\$287.30). For each thousand pounds of gross weight, or major fraction thereof, for which any such vehicle is registered by the state, there shall be paid to the city motor vehicle license officer the fee indicated in the following schedule immediately opposite the weight group into which such vehicle, or any combination of vehicles of which it is a part, falls when loaded to the maximum capacity for which it is registered and licensed; provided that in no case shall the license fee be less than ~~twenty nine dollars and fifty cents (\$29.50)~~ thirty four dollars and fifty cents (\$34.50) nor more than two hundred eighty seven dollars and thirty cents (\$287.30).

SCHEDULE

Gross weight group (pounds)	License fee per thousand pounds of gross weight	
10,000 and less	\$2.95	<u>\$3.45</u>
10,001 - 11,000	2.95	<u>3.45</u>
11,001 - 12,000	2.95	<u>3.45</u>
12,001 - 13,000	3.00	<u>3.45</u>
13,001 - 14,000	3.20	<u>3.45</u>
14,001 - 15,000	3.40	<u>3.45</u>
15,001 - 16,000	3.60	
16,001 - 17,000	4.00	
17,001 - 18,000	4.40	
18,001 - 19,000	4.80	
19,001 - 20,000	5.20	
20,001 - 21,000	5.60	
21,001 - 22,000	6.00	
22,001 - 23,000	6.40	
23,001 - 24,000	6.80	
24,001 - 25,000	6.90	
25,001 - 26,000	6.95	
26,001 - 27,000	8.25	
27,001 - 28,000	8.30	
28,001 - 29,000	8.35	
29,001 - 34,000	8.45	
Over 34,000	maximum fee	8.45

(c) Trailers and semitrailers not designated and used for transportation of passengers: The license fees for trailers and semitrailers not designated and used for the transportation of passengers shall be as follows:

Registered Gross Weight	Fee
1 - 1,500 lbs.	\$ 8.00
1,501 - 4,000 lbs.	18.50
4,001 lbs. and above	23.00

(d) Vehicles transporting well-drilling machinery: The annual license fee to be paid for any motor vehicle, trailer or semitrailer upon which well-drilling machinery is attached and which is permanently used solely for transporting such machinery shall be fifteen dollars (\$15.00).

(e) When fees due and payable: License fees for all vehicles shall be due and payable on the fifteenth (15th) day of April in each year. All license fees levied by this section shall be paid to the city motor vehicle officer who shall issue the license at such places as may be designated from time to time by the city manager.

(f) Proration: The annual license fees paid on a motor vehicle that acquires a situs within the city after April 15 of a tax year shall be prorated by paying the following percentages of the annual fee:

Period	Percentage
March 1 - April 30	100
May 1 - May 31	92
June 1 - June 30	84
July 1 - July 31	76
August 1 - August 31	68
September 1 - September 30	60
October 1 - October 31	52
November 1 - November 30	44
December 1 - December 31	36
January 1 - January 31	28
February 1 - February 28	20

(g) Conflict with state law: Nothing in this section shall be construed as imposing a license fee on any such vehicle in excess of the amount authorized to be imposed by the laws of the state.

(c) Each fiduciary shall file the returns mentioned in this section with the commissioner of the revenue having jurisdiction.

(d) All city taxes for each year or fiscal year on tangible personal property assessed under this section shall be paid pursuant to the provisions of Section 36-171.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified: _____
Clerk of Council

026L